Previous references.

File No. 27 of 1902-03

190

(Dep.: Rev.:)

Serial Nos. 1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B. for

SUBJECT.

Appeal petition from Hanumantacah, toddy licensee of Kalapur shop, Sira Taluk, against the Excise Commrs order, declining to interfere in the matter of the resale of his shop for 1902-03

Sl 1. From Hanumantacah, Kalapur, Sira Taluk. Petn D. 27/3/1903

appeals against the order of the Excise Commrs, re the resale of Kalapur toddy shop in Sira Taluk for 1902-03 and prays that coercive measures resorted to by the Amildar, may be stayed.

Sl 2 ~~From Hanumantacah Petn D 21.3.03 Reminder to the above.~~

Sl 3. To the Excise Commissioner in Mysore No 499/Ex D 1.4.03.

Forwards the above and requests that the entire records of the case together with his opinion, may be submitted to Govt early.

G. R. S. 58

Sl 4. To the Excise Comr in Mysore No 504/Ex D 4.4.03

Forwards petn D 21.3.03 (Sl 2) in continuation of S.r.

Sl 5 To Hanumantaraih, licensee of Kalapur toddy shop, Siraballuk.
Endorsement No 505 D 4.4.03.

Informs that his petitions have been forwarded to the Excise Comr for report with a request that the further proceedings may be ordered to be stayed pending the orders of Govt on his appeal petition.

Sl 6 From the Excise Comr in Mysore No 6558/415 D 23/29.4.03.

Submits with opinion copies of communications from the Assistant Deputy Commr together with the file of papers re the Revocation of Kalapur Toddy shop.

Sl 7 To Hanumantaraih. licensee Kalapur toddy shop Siraballuk
Endorsement No 430/Ex D 28.11.03

Informs that Government see no reason to interfere and that his appeal petition is rejected accordingly.

Letter No 431/Ex D 28.11.03 To the Excise Comr in Mysore.

Forwards copy of the above with reference to his letter

Sep: Rev. 27 of 02-03.

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject. Appeal vide Revenue 2218/4. of 3/26. memorial from Hammiahiah, Toddy licensee of Kalasapura Shop, Sira Taluk, against the Asst. Comrs order no. 4690/119 of 11-1-03. declining to interfere in the matter of the re-sale of his Shop

Note.

Hammiahiah was the licensee of the Toddy Shop at Kalasapura, Sira Taluk, for 1902-03. He defaulted to pay the rental for the quarters ending October 02. The Shop was resold - The Amildar reports that there were general irregularities in the re-sale & that he was very unjustly dealt with. Though he offered & produced the arrears before the re-sale was closed. He further adds that the bid by one of the Excise Comrs refused to

* 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

‡ 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

to take notice of the irregularities in respect of his petitions —
He has now appealed to Court against the order of the Revisional Court No. 4690 dt 11/12/02 to the effect that nothing could be done in the matter
It seems that there was also to Court in the resale, for the recovery of which the petitioner's proceedings are said to have been proceeded against.
Petr prays that further proceedings may be ordered to be stayed pending the order of Court on his present appeal petition.
A draft is placed to Secretary for approval or orders.

26/3/03

Put up
26/3/03.

The Dewan through the 2nd Councillor

I agree to the order proposed hereupon
27/3/03

Ex-94
26-3-03.

The order approved by the Dewan passed

Hanumantha's appeal
against the sale of the
Kalapura Coorg Estate
Sirsi Taluk

The file was submitted
to the Second Commissioner
on the 26th inst —

The present petition is a
reminder to the Collector
immediate orders for the
stay of the sale of his pro-
perty which is under attach-
ment. His petn is dated
20th & states that the Dy Comr
has given him only 15 days'
time to prefer an appeal
against the order —

Submitted to the 2nd Commissioner
for orders

Bree
26/3/03

30/3/03

Submitted to the Dewan

The papers are now
before the Dewan

31/3/03

Subd

The file on the subject was re-
submitted with Dewan's order on

Note continued

A perfect together with the records was called for in the matter & compliance to this the Esquire Court perfected that as the Peter failed to pay up within the permitted time the Writs once expired the shop was perfected & the Vendeyan having been already put in possession of the shop it Could not be restored to the Peter He also perfected that the Peters allegation that the Appellant gave him one weeks grace & that the full amount of arrears to was taken to the Talik Cutchery within the time is false.

The facts of the case as gathered from the Ven: records are

The Peter failed to pay the rental for September 02 which accrued on the defaulter & the shop advertised

for resale for the 13th
Nov 02. On this date
the defaulter (Peli) proceed Rs 70/- & asked for
an adjournment of the
sale for a week in order to enable him
to pay up the arrears to
fully. The sale was accordingly adjourned to
the 17th idem. [Note. Peli asked
for a week's time, but the Amin Reg A
announced only 3 days. It is nowhere definitely stated what
was the period of adjt. actually settled
upon] On the 17th Nov 02,
the Peli ~~was given a fair opportunity~~
~~for paying up the arrears &~~
not having done either appeared
or paid up the arrears &
the shop was resold, at
a loss of Rs 26/- per month. Amin's petition no 61 17.
The resale was confirmed
by the Dy Comr on 21.11.02 Order no 603 21.11.02
(Note. Previous sanction of the Dy
Comr does not seem to have been
obtained as directed in the Clause iii of
para 5 of Rule IV of Tody Rules] Only subsequent
confirmation notice was issued

B.
C

from the Taluk on 28/11/02 & the 2nd Punchanama put in possession of the shop on 4/12/02

Flag D

In the meanwhile the resale of the shop was communicated to the Petr admittedly on 20th Nov 03; on the following day he went to the Taluk Cutchery with the full amount of arrears & the Taluk Shirastadar refused to credit the amount without orders from the Asstt Collector since the shop had already passed the Petr states that he waited at the HQrs of the Taluk for 8 days for the Asstt Collector, that he Asstt Collector went to the Asstt Collectors Camp who also refused to credit the amount

Flag A

On 2nd Dec 03 the Petr appealed to the Dy. Comr & produced at the same time Rs 206/ in full adjustment

E

of the arrears due from
him & asked for the Cancellation
of the pesale This was
refd to the Amildar.
But the 2nd purchaser having
been put in possession of
the shop the bargain
was confirmed, but the
sum of Rs 206/- deposited by
him was refunded to
him

F
Endorst no 744
20/12/02.

Again on 26/12/02 the Ameen
solicited the ~~Orders~~ permission of the
Dy Collr to adjust the
amount of Rs 296-4-0 that
was still due from the
Peler (being the arrears & also
the loss arising from pesale)
from the above sum of Rs 206
This permission was refused.
But on a further representation
from the Amildar permission
was given to proceed against
the moveables of the Peler
& of his surety

no 56
26/12/02 C.

no 823
12/1/03

In obedience to this order
only the moveables of the

Petn were attached.
Now there is an appeal
to Court for redress.

Subd for orders

Trice
7.11.03

I do not see the Rules
G. Please bring up personally & show
me the place where it appears
K. that Dy Cr previous sanction
was not obtained.
7/11/3

The Dy Comm's ~~notice~~ sanction
is required but it is not ex-
pressly stated to be previous sanc-
tion. On 21.11.1902, the Dy Cr in-
quired of Asst whether sanction
had been obtained. The reply said
nothing on it & as the Dy Cr
sanctioned the sale, he ratified
the act. There is no ground
as far as I can see to declare
the proceedings invalid. The Petr
is clearly liable for the loss by
resale. The Petr may, I think,

I agree that there are no grounds for interference. There was a default followed by a resale The purchaser at the resale was duly put in possession. The Petitioner has no valid grievance

C

23-11-03

Sent to the Devizes 24/11/03

be rejected.
Draft Put up for adbl.

14/11/3
20

To the Deac...,
~~through~~ the Md. Councillor.

14245
Z 5.11.03

Ex 390 Sl 1.

26/3/03 1902-03

No. 2218

Name of Petitioner Hanumanthiah

Village Kalapur

Taluk Sira

District Tumkur

Date of Arzi 2.3.03

Date of Receipt 3.3.03

Date of Disposal

No. of Enclosure one

Sub

1) sufficiently stamped (2 rupee stamp affd)

2) order appealed against produced

3) In time

May this be transferred to the Excise Branch

21-3-03

24/3/03

26/3/03

Filed with a note & a draft

Sec
26/3/03

ABSTRACT

Appeal against the order of the Excise Commr No. 4690/119 dated 11.2.03 which is as follows:

"In reply to his appeal petn of the 21st December 02, Hanumanthiah defaulting licensee of the Kalapur Toddy Shop in the Sira Taluk for the year 1902-03 is informed that as the above Shop is reported by the Dy Commr, to have been already resold for default

of payment of Ichisto for September and October 1902, and the purchaser at the resale to have been put in possession of the shop, the Excise Lawyer can do nothing in the matter."

The petr submits that the Ichistos for September and October were not paid within the time on account of some proper grounds; that the Amildar had ordered the resale of the shop without even the Dy Collr's Sanction; that the petr however, appeared before the Amildar on the Sale date and paid Rs 70/- and obtained a week's time for the payment of the balance, which time was granted by the Amildar and the Sale Stopped; that the petr went to the Ic office with the balance within the week's time but that the Sheristedar declined to accept the amount without the orders of the Amildar who

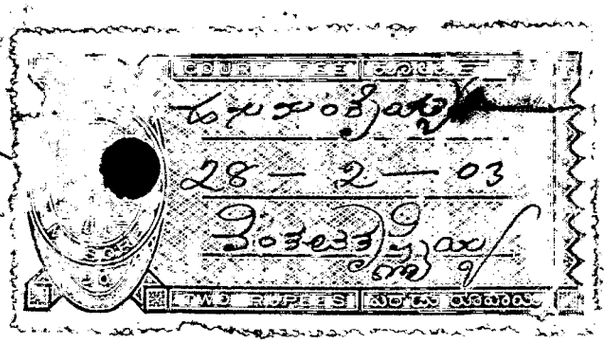
who was absent from the Hd. Quarters then; that the petr waited for 2 days and then went to the Amildar's camp with the money; that the Amildar however declined to accept the amount on the ground that a 2nd Sale had been held - that the Dy Collr to whom the petr had appealed directed the Amildar to accept the amount and called for the records, - but finally issued an order directing the petr to get back the deposit amount on the ground that the Sale could not be cancelled; that the Excise Collr on appeal has passed the order appealed against; that both the Dy Collr and the Excise Collr did not issue notices to

to the petr before passing
orders; and that the Smildar
was not justified in ordering
a resale within the before
the expiry of one week granted
to peter by himself (Smildar);
that the Dy Comr did not
take into consideration the
fact that the Sale was
against the rules, as the
same had been held by the
Smildar without the Dy Comr's
orders; that petr has been
a contractor for the last
20 to 25 years and had never
exceeded the proper time for
payment of the instals at any
time; and that the 2nd Sale is
unjust, and having been held
without the petr's knowledge
and before the expiry of the
time allowed him for payment.

Prays for the Sale being
set aside

Prays also for Stay of
coercive measures that are
being resorted to by the Smildar
for the recovery of the arrears.

Ex 23 3/03.



2218/R
3-3-1903

Two Rupees stamp affixed

నిర్ణయించిన ప్రకారం ఇవ్వవలసిన ఖర్చు ఇవ్వడానికి
నిరాకరించినందువల్ల ఈ దావా వేయడమైనది ——

సన్ 1903 వ సంవత్సరం మార్చి నెల 2 వ తేదీ — ఈ రోజు తారీఖున
ఫిర్యాదీ మరియు ప్రతివాదులు ఇరువురూ కోర్టులో హాజరుగా
ఫిర్యాదీ తరపున వకీలు ఎం. ఎ. ఎల్. బి. గారు ప్రతివాదుల తరపున
వకీలు ఎం. ఎ. ఎల్. బి. గారు వచ్చియున్నారు —

ఫిర్యాదీ తరపు వకీలు ఈ దావా వేయడానికి ముందు ప్రతివాదులు
ఫిర్యాదీకి ఇవ్వవలసిన ఖర్చు ఇవ్వడానికి నిరాకరించినందువల్ల
ఈ దావా వేయడమైనది. ఆ ఖర్చు ఇవ్వడానికి ప్రతివాదులు
నిరాకరించినందువల్ల ఫిర్యాదీ ఈ దావా వేయడానికి
ముందు ప్రతివాదులకు నోటీసు ఇవ్వవలసిన అవసరం
లేదు. అయినప్పటికీ ఫిర్యాదీ ప్రతివాదులకు నోటీసు
ఇవ్వడం జరిగింది. ప్రతివాదులు నోటీసుకు జవాబు
ఇవ్వలేదు. ఆ విధంగా ప్రతివాదులు ఫిర్యాదీకి
ఇవ్వవలసిన ఖర్చు ఇవ్వడానికి నిరాకరించినందువల్ల
ఈ దావా వేయడమైనది. ఫిర్యాదీ (70)
రూపాయల ఖర్చు ఇవ్వవలసిందిగా ప్రతివాదులకు
ఆజ్ఞ ఇవ్వవలసిందిగా కోరుతున్నాడు —

2 ఫిర్యాదీ తరపు వకీలు ఈ దావా వేయడానికి ముందు
ప్రతివాదులు ఫిర్యాదీకి ఇవ్వవలసిన ఖర్చు
ఇవ్వడానికి నిరాకరించినందువల్ల ఈ దావా
వేయడమైనదని చెప్పారు. ప్రతివాదుల తరపు
వకీలు ఫిర్యాదీ ఈ దావా వేయడానికి ముందు
ప్రతివాదులకు నోటీసు ఇవ్వవలసిన అవసరం
లేదని చెప్పారు. ఫిర్యాదీ ప్రతివాదులకు
నోటీసు ఇవ్వడం జరిగిందని ప్రతివాదులు
నోటీసుకు జవాబు ఇవ్వలేదని ఫిర్యాదీ
ఆ విధంగా ప్రతివాదులు ఫిర్యాదీకి
ఇవ్వవలసిన ఖర్చు ఇవ్వడానికి నిరాకరించినందువల్ల
ఈ దావా వేయడమైనదని చెప్పారు —

ಲಂಚವಾಡಿಯ ಪಶ್ಚಿಮಕ್ಕೆ ಸುಮಾರು ಒಂದು ಮೈಲಿ ದೂರದಲ್ಲಿ ಕಾಡಿನ ನಡುವೆ ಒಂದು ಕಲ್ಲಿನ ಮೇಲೆ ಕೆತ್ತಿರುವ ಸಂಸ್ಕೃತ ಶಾಸನವಿದೆ. ಅದರಲ್ಲಿ ಒಟ್ಟು ಎಪ್ಪತ್ತು (೭೦) ಸಾಲುಗಳಿವೆ. ಅಕ್ಷರಗಳು ಸುಮಾರು ಒಂದು ಇಂಚು ಉದ್ದವಿದ್ದು ಚೆನ್ನಾಗಿ ಕೆತ್ತಲ್ಪಟ್ಟಿವೆ. ಆದರೆ ಕಲ್ಲಿನ ಮೇಲ್ಮೈ ಸ್ವಲ್ಪ ಒರಟಾಗಿರುವುದರಿಂದ ಕೆಲವು ಅಕ್ಷರಗಳು ಸ್ಪಷ್ಟವಾಗಿ ಕಾಣುವುದಿಲ್ಲ. ಶಾಸನದ ಕೊನೆಯಲ್ಲಿ ಕೆತ್ತಿಸಿದವನ ಹೆಸರು ಮತ್ತು ಕಾಲದ ವಿವರಗಳಿವೆ. ಆದರೆ ಅವುಗಳಲ್ಲಿ ಕೆಲವು ಭಾಗಗಳು ಅಳಿಸಿಹೋಗಿವೆ. ಆದ್ದರಿಂದ ಸಂಪೂರ್ಣ ಪಾಠವನ್ನು ಪಡೆಯಲು ಸಾಧ್ಯವಾಗಿಲ್ಲ. ಆದರೂ ಲಭ್ಯವಿರುವ ಭಾಗಗಳಿಂದ ಶಾಸನದ ಮುಖ್ಯ ವಿಷಯವನ್ನು ತಿಳಿಯಲು ಸಾಧ್ಯವಿದೆ. ಶಾಸನದ ಆರಂಭದಲ್ಲಿ ಶಿವನಿಗೆ ಸಂಬಂಧಿಸಿದ ಕೆಲವು ಶ್ಲೋಕಗಳಿವೆ. ಅವುಗಳಲ್ಲಿ ಶಿವನ ಮೂರು ಕಣ್ಣುಗಳು, ಅವನ ಕೈಯಲ್ಲಿರುವ ತ್ರಿಶೂಲ, ಅವನು ಧರಿಸಿರುವ ಹಾವು ಮತ್ತು ಅವನ ವಾಹನವಾದ ನಂದಿ ಇವುಗಳ ಉಲ್ಲೇಖವಿದೆ. ಇದಾದ ನಂತರ ಶಾಸನವನ್ನು ಕೆತ್ತಿಸಿದ ಕಾರಣವನ್ನು ವಿವರಿಸಲಾಗಿದೆ. ಅದರ ಪ್ರಕಾರ ಲಂಚವಾಡಿಯ ಪಾಳೆಯಗಾರ ಮಲ್ಲಪ್ಪ ನಾಯಕನು ತನ್ನ ಪತ್ನಿ ಚೆನ್ನಮ್ಮಾಜಿಯ ಪುಣ್ಯಕ್ಕಾಗಿ ಈ ಶಾಸನವನ್ನು ಕೆತ್ತಿಸಿದನು. ಚೆನ್ನಮ್ಮಾಜಿಯು ಸತಿಯಾಗಿ ಸ್ವರ್ಗಸ್ಥಳಾದಳು ಎಂದು ಹೇಳಲಾಗಿದೆ. ಅವಳು ಸತಿಯಾದ ದಿನಾಂಕವನ್ನು ಸಹ ಶಾಸನದಲ್ಲಿ ನಮೂದಿಸಲಾಗಿದೆ. ಅದು ಶಕ ವರ್ಷ ೧೫೩೭ನೇ ಪ್ರಮಾದೀ ಸಂವತ್ಸರದ ಮಾಘ ಶುದ್ಧ ಪಂಚಮಿ ಭಾನುವಾರ ಎಂದು ಉಲ್ಲೇಖವಿದೆ. ಆದರೆ ಈ ದಿನಾಂಕವು ಗ್ರೆಗೋರಿಯನ್ ಕ್ಯಾಲೆಂಡರ್‌ಗೆ ಹೊಂದಿಕೆಯಾಗುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಇದು ಕೆತ್ತಿಸಿದವನ ತಪ್ಪಿರಬಹುದು ಅಥವಾ ಕಲ್ಲು ಸವೆದಿರುವುದರಿಂದ ಓದುವಲ್ಲಿ ತಪ್ಪಾಗಿರಬಹುದು ಎಂದು ಶಾಸನ ಸಂಶೋಧಕರು ಅಭಿಪ್ರಾಯಪಟ್ಟಿದ್ದಾರೆ.

2 ಸಿ. ಪಿಳ್ಳೈಯವರ ಪ್ರಕಾರ ಪಟ್ಟಣಕಾರರ ಕೇರಿಯಲ್ಲಿ ಸುಮಾರು ಮೂರು ಡಜನ್ ಮನೆಗಳಿದ್ದವು. ಅವುಗಳಲ್ಲಿ ಬಹುಪಾಲು ಮನೆಗಳು ಹೆಂಚಿನ ಛಾವಣಿಯನ್ನು ಹೊಂದಿದ್ದವು. ಕೆಲವು ಮನೆಗಳು ಮಾತ್ರ ಹುಲ್ಲಿನ ಛಾವಣಿಯನ್ನು ಹೊಂದಿದ್ದವು. ಮನೆಗಳ ಗೋಡೆಗಳು ಮಣ್ಣಿನಿಂದ ನಿರ್ಮಿತವಾಗಿದ್ದವು. ಕೆಲವು ಮನೆಗಳ ಗೋಡೆಗಳಿಗೆ ಸುಣ್ಣ ಬಳಿಯಲಾಗಿತ್ತು. ಪ್ರತಿ ಮನೆಯ ಮುಂದೆ ಒಂದು ಸಣ್ಣ ಅಂಗಳವಿತ್ತು. ಅಂಗಳದಲ್ಲಿ ತುಳಸಿ ಕಟ್ಟೆ ಇರುವುದು ಸಾಮಾನ್ಯವಾಗಿತ್ತು. ಕೆಲವು ಮನೆಗಳ ಮುಂದೆ ಬೇವಿನ ಮರಗಳಿದ್ದವು. ಮನೆಗಳ ಹಿಂಭಾಗದಲ್ಲಿ ತರಕಾರಿ ತೋಟಗಳಿದ್ದವು. ಅಲ್ಲಿ ಬದನೆಕಾಯಿ, ಮೆಣಸಿನಕಾಯಿ, ಕುಂಬಳಕಾಯಿ ಮುಂತಾದವುಗಳನ್ನು ಬೆಳೆಯಲಾಗುತ್ತಿತ್ತು.

3 ಈ ಕೇರಿಯಲ್ಲಿ ವಾಸವಿದ್ದ ಕುಟುಂಬಗಳಲ್ಲಿ ಹೆಚ್ಚಿನವರು ಕೃಷಿಯನ್ನೇ ಮುಖ್ಯ ಉದ್ಯೋಗವಾಗಿ ಅವಲಂಬಿಸಿದ್ದರು. ಕೆಲವರು ಕೃಷಿಯ ಜೊತೆಗೆ ಇತರ ಕಸುಬುಗಳನ್ನೂ ಮಾಡುತ್ತಿದ್ದರು. ಉದಾಹರಣೆಗೆ, ಕೆಲವರು ಬುಟ್ಟಿ ಹೆಣೆಯುವುದು, ಚಾಪೆ ನೇಯುವುದು, ಹಗ್ಗ ತಿರುಚುವುದು ಮುಂತಾದ ಕೆಲಸಗಳನ್ನು ಮಾಡುತ್ತಿದ್ದರು. ಇವುಗಳನ್ನು ಅವರು ಸಮೀಪದ ಸಂತೆಗಳಲ್ಲಿ ಮಾರಾಟ ಮಾಡುತ್ತಿದ್ದರು. ಕೆಲವರು ಕುರಿ ಸಾಕಣೆಯನ್ನೂ ಮಾಡುತ್ತಿದ್ದರು. ಅವರಿಂದ ಉಣ್ಣೆಯನ್ನು ಪಡೆದು ಕಂಬಳಿ ನೇಯುವ ಕೆಲಸವೂ ನಡೆಯುತ್ತಿತ್ತು. ಕೇರಿಯಲ್ಲಿ ಒಂದು ಸಣ್ಣ ಕಿರಾಣಿ ಅಂಗಡಿಯೂ ಇತ್ತು. ಅಲ್ಲಿ ಉಪ್ಪು, ಬೆಲ್ಲ, ಎಣ್ಣೆ, ಬೀಡಿ ಮುಂತಾದ ದಿನಬಳಕೆಯ ವಸ್ತುಗಳು ಲಭ್ಯವಿದ್ದವು. ಅಂಗಡಿಯವನು ಕೆಲವೊಮ್ಮೆ ಸಾಲವನ್ನೂ ಕೊಡುತ್ತಿದ್ದನು. ಸಾಲವನ್ನು ಸುಗ್ಗಿಯ ನಂತರ ತೀರಿಸಲಾಗುತ್ತಿತ್ತು.

Excise Commissioner's Office
Sep Rec. 27 1902-03
Bangalore, Dated, 11th February
14 1903.

Encls 6 S. Rec 6.

4690
119

Endorsement.

In reply to his appeal petition of the 21st December 1902, Hanumantyya defaulting licensee of the Kalapur Toddy shop in the Sira Taluk for the year 1902-1903, is informed that as the above shop is reported, by the Deputy Commissioner, to have been already resold for default of payment of Khist for September and October 1902, and the purchaser at the resale to have been put in possession of the shop, the Excise Commissioner can do nothing in the matter

S. Venkatalingaiya
for Excise Commissioner
&c &c Mysore.

Reference early

26-3-03

Transferred to the Excise Branch in continuation

26-3-03

Received 28/3/03

Ex 391 dt 28/3/03

Sep: Rev 27 dt 02-03

1902-03

No. 2366

Name of Petitioner Hanumanthiah Ediga

Village Kalapura

Taluk Sira

District Tumkur

Date of Arzi 20.3.03

Date of Receipt 21.3.03

Date of Disposal

No. of Enclosure Nil

ABSTRACT

In continuation of his appeal petn dated on 28th February; in re the 2nd Sale of the Shendi Shop of Kalapur village, Submits that the petrs property had been attached and the petr has been given 15 days time to secure a prohibitive order from Govt to stay Sale.

Pray for issue of orders to stay further measures pending disposal of his appeal

MGCPB—5,000—10-11-02

Sep. Rev. 27 of 1902-03
Sl 3
No 499
dy. 1st April 1903

Deputy Inspector

To Excise Commr
in Mysore

In forwarding herewith petition
per Dno. 2218 of 26/3/03
4390
from Hanumanthiah
~~Toddy~~ licensee of
the Kalalam toddy
shop in the Sira
Taluk, appealing
against ~~the order~~
of the Excise Comrs
order no. 4690 of
11/9/02 to the effect
that nothing could
be done in the matter
of the resale of
the said toddy shop

I have the honour to request that the entire record of the Case together with his decision may be sent to Court at an early date.

2. Further proceedings against the petitioners respectively referred to in the petn. may be ordered to be stayed pending the orders of Court on his present petition

12 CC

Secretary

26/3/03

Under
28.III.03

9408/
28.3.03

Sep: Rev. 27 of 02-03.
Dl 4

No 504 Revenue
Dt. 4/4/03

To The Revenue Commr
in Mysore

In continuation of this office docket no. 499 of Dt. April 03, has the honor to forward herewith and herein petition rec'd. no. 2366 & 391 of 28/3/03 from Hanumantiah, licensee of the Kalasura toddy shop for 02-03 in the Sira Taluk in the matter of the resale of the said toddy shop, praying

"for the issue of
orders to stay
further proceedings
pending the dis
posal of his appeal
petition

Bell

3/4/93

Forwarded

Tele
2/4/93

No. 505 of 4/4/03 15
Ex 2 of 4/4/03

Sep. Rev 297 02-03
Sl 5

5

Endorsement

With reference to his petitions resp nos 2268/4390 of 26/3/03 & 2366/4391 of 28/3/03, appealing against the order of the Exise Comm, no 4690/119 of 4/2/03, declining to interfere in the matter of the resale of his the Kalasam Toddy Shop & soliciting orders for the stay of the proceedings said to have been instituted for recovering the amount due from him, Hanu-

16

Mr Antia, lessee
of the Kalasura
toddy shops, Sira
Taluk, for the year
1902-03 is informed
that his petitions
~~have been~~ forwarded
to the Excise Comr
for report with
a request that
the further pro-
ceedings may be
ordered to be stayed
pending the orders
of Govt. on his
appeal petition

Rle

3/4/03

for Secretary

Tgm
3-4-03

due by him, the shop was resold under the terms of the Sale Notice, and the Deputy Commissioner confirmed such resale and made over the shop to the 2nd purchaser. I concur in the Deputy Commissioners opinion that the 2nd purchaser having already been put in possession of the shop, it cannot be restored to the petitioner.

2. It will be seen from the records that the petitioner's allegation that the Amildar gave him one week's grace, and that he took the whole arrears due by him to the Taluk Cutcherry within the fixed time is perfectly false.

3. The enclosure is herewith returned.

I have the honor to be
Sir,
Your most obedient servant
M Purcell

Excise Commissioner
in Mysore

Enclo to P. no 6 19

1902-1903

FROM M. S. Narayana Rao Esqre
Deputy Commissioner
Tumkur District.

To
P. N. Purnaya Esqre B.A
Excise Commissioner
in Mysore.

Dated 13th
Despatched 16th } January 1903
Received

General No.
M No. 95

Enclosure No. one file.

In reply to his No. 1279, dated 23rd December 1902, forwarding for report the appeal petition of Hanumantayya of the Kalapoor Toddy Shop, has the honor to state as follows:

2. The Contractor Hanumantayya failed to pay the shop rental for the month of September and coercive measures were taken by the Shanbhag for collecting the amount by reselling

reselling the shop. The defaulter paid an amount of Rs 70/ out of Rs 92/- due by him, and prayed the Amildar to give him some time for paying the remaining amount due for September and the rental for October. As he did not pay the amount within the permitted time, the shop was resold, and the resale was confirmed by the undersigned on the 21 November 1902. Thereupon, the defaulter applied to the undersigned for cancelling the sale and produced the amount due by him. The amount was deposited in the Treasury here, and orders were issued to the Amildar to restore the shop to the petitioner, in case it was not made over in the meanwhile to the bidder in the auction. The Amildar reported that the bidder was already put in possession of the shop. The defaulter's amount was returned to him, and an endorsement given to the petitioner accordingly.

The entire Vernacular record relating to the case together with the appeal petition are herewith sent for reference.

(Signed) M. S. Narayana Rao
Deputy Commissioner
Tumkur District

"Copy"

Excise Commissioner
in Mysore.

Enclos 65. 2106 21

1903.

From Mr. S. Narayana Rao Esq
Deputy Commissioner
Tumkur District.

To P. N. Srinivasa Esq. B.A.
Excise Commissioner
in Mysore.

Dated 20th } April. 1903
Despatched }
Received

General No.
Mr No. 1328

Enclosure No. 2 Files.

Her docket no 6105/145
Dated the 8th instant,
re the selling of Kalapura
Toddy shop in the Sira
taluk for the year 1902-
1903.

—— u ——

In reply has the honor
to retransmit herewith, the

the file of papers returned with the above, together with the correspondence thereon called for received from the Amildar of the Sira taluk with his report No 89 dated 17th April 1903.

(Signed) M. S. Narayana Rao

Deputy Commissioner

"Copy"

Excise Commissioner

in Mysore

Sep: Rev. 27 of 02-03
Sl 7 23

No. 430/24

MYSORE DEWAN'S OFFICE,

Excise ~~PETITION~~ DEPARTMENT,

The 28th November 1903.

ENDORSEMENT GRANTED TO Hammanbhat ~~toddy~~ licensee of Kalapur toddy shop in Sirsi Taluk, for 1902-03

in reply to ~~his~~ Petition Registered No. 2218/4390 dated 26th March 1903 No 2366/4391 of 28th March 03 appealing against the order of the Excise Comr in the matter of the ~~suspension~~ of his shop

Petitioner is informed that the Court see no reason to ~~declare the proceedings illegal~~ interfere & that his appeal petition is rejected accordingly

26/11/03
23-11-03

26 XI 03

21

By Order

Secretary

P TO

No 431 dt 26/11/03 (enclosure).

Copy forwarded to the Excise Commr in reference with ref to his letter no. 6558-415 dt 29th April 03, returning the records of the case

Rec.

27/11/3

Asstt.

True
14.11.03